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January 10, 2020

**VIA ECF**

Hon. Judge Jesse M. Furman  
United States District Court  
Southern District Of New York  
40 Foley Square  
New York, New York 10007

**Re: *Antoinette Rizzica v. 213-85 Corp.***  
**Docket No.: 18-CV-08003**  
**Our File No.: 18-016640**

Hon. Judge Jesse M. Furman:

This firm represents Defendant 213-85 Corp., in the above-referenced action. This case involves a claim for personal injuries resulting from an alleged fall down an exterior staircase at 213 West 85<sup>th</sup> Street, New York, New York on September 12, 2017.

I am writing to amend/supplement Defendant's letter motion submitted to the Court on January 9, 2020.

In support of its motion Defendant attached, in error, as Exhibit B a copy of Plaintiff's Mediation Narrative. I join in Plaintiff's request that that document be expunged from the Court's record and that the attached report of Dr. DeMarco be substituted as Exhibit B to defendant's application.

Defendant apologizes to the Court and Plaintiff for its error.

Regards,



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In light of Plaintiff's letter clarifying/confirming that she is not seeking future earnings, Defendant's motion is denied - albeit without prejudice to a new application in the event that Defendant believes the information is relevant for a different reason.

By separate Order, the Court is referring this matter to the assigned Magistrate Judge for settlement purposes.

Finally, the Clerk of Court is directed to strike ECF No. 65-2 (i.e., remove the PDF from the docket) and to terminate ECF Nos. 65 and 67.

SO ORDERED.



January 10, 2020